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APPLICATION NO.	ON NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/718,855 11/20/2003		Thomas R. A. Bussing	EH-10957 (03-427)	1915		
34704	7590	10/11/2005		EXAM	EXAMINER	
BACHMAN & LAPOINTE, P.C. 900 CHAPEL STREET				CHAMBERS, TROY		
SUITE 1201	JUINEL	•	ART UNIT	PAPER NUMBER		
NEW HAVE	N, CT	06510	3641			

DATE MAILED: 10/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Application No.		Applicant(s)				
	Office Antion Commons	10/718,855		BUSSING, THOMAS R. A.					
	Office Action Summary	Examiner		Art Unit					
		Troy Chambers		3641					
Perio	The MAILING DATE of this communication d for Reply	appears on the cover	sheet with the c	orrespondence ad	dress				
- - :	SHORTENED STATUTORY PERIOD FOR RE HE MAILING DATE OF THIS COMMUNICATIO Extensions of time may be available under the provisions of 37 CF after SIX (6) MONTHS from the mailing date of this communication If the period for reply specified above is less than thirty (30) days, a If NO period for reply is specified above, the maximum statutory pe Failure to reply within the set or extended period for reply will, by s Any reply received by the Office later than three months after the n earned patent term adjustment. See 37 CFR 1.704(b).	DN. R 1.136(a). In no event, howe n. a reply within the statutory mini priod will apply and will expire statute, cause the application to	ver, may a reply be tim imum of thirty (30) days SIX (6) MONTHS from become ABANDONED	ely filed s will be considered timel the mailing date of this co O (35 U.S.C. § 133).	<i>y.</i> ommunication.				
Statu	s								
1)	:)⊠ Responsive to communication(s) filed on €	06/07/05.							
2a	<u> </u>	——— This action is non-fina	al.						
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Dispe	sition of Claims								
5) 6) 7) 8)	Claim(s) 10-16 is/are objected to. Claim(s) are subject to restriction a	awn from consideratio							
Appli	cation Papers								
)□ The specification is objected to by the Exar								
10	D) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.								
	Applicant may not request that any objection to	<u> </u>	•	, ,					
11	Replacement drawing sheet(s) including the co The oath or declaration is objected to by the	•			* *				
Prior	ity under 35 U.S.C. § 119								
	 Acknowledgment is made of a claim for force a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the application from the International But * See the attached detailed Office action for a 	nents have been rece nents have been rece priority documents ha reau (PCT Rule 17.2)	ived. ived in Application ive been receive (a)).	on No ed in this National	Stage				
Attach	ment(s)								
	Notice of References Cited (PTO-892)	4) 🗌	Interview Summary						
3) 🛛	Notice of Draftsperson's Patent Drawing Review (PTO-948 Information Disclosure Statement(s) (PTO-1449 or PTO/SE Paper No(s)/Mail Date	5)	Paper No(s)/Mail Da Notice of Informal P Other:	atent Application (PTC)-152)				
	. 17 1 100								

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DETAILED ACTION

Election/Restrictions

- 1. Claims 1-5 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 06/07/05.
- 2. Applicant's election with traverse of species B/C in the reply filed on 06/07/05 is acknowledged. The traversal is on the ground(s) that there is no undue burden. This is not found persuasive because there is a burden on the examiner to search several species that define separate and distinct inventions.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 5-9 and 17-19 are rejected under 35 U.S.C. 102(b) as being anticipated by US 5494004 issued to Hunter. Hunter discloses a method for cleaning a surface as shown in Figures 1-3. The relevant figures are Figs. 1-3, 7 and 12-14. The relevant portions of the written specification are as follows: Background of the Invention and column 4, line 27 to column 6, line 67.

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Allowable Subject Matter

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3. Claims 10-16 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: Claim 10 appears to be allowable because the prior art does not anticipate or make obvious the use of a second fuel and second oxidizer, the second mixture being less detonable than the mixture (first fuel/oxidizer mixture). Claims 11-16 depend from allowable claim 10.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited on form PTO-892 are cited as of interest to show similar methods of cleaning a surface within a vessel.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Troy Chambers whose telephone number is (571) 272-6874 between the hours of 7:00 a.m. to 3:30 p.m., M-F. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone, can be reached at (571) 272-6875.